

AWPL

POLICY 3 – STAFF CONDITIONS OF EMPLOYMENT (NZ)

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3.1 Purpose of Policy 3 - Staff Conditions of Employment

- 3.1.1 The purpose of Policy 3 – Staff Conditions of Employment is to set out the Managing Director’s requirements for the general conditions of employment that apply to all staff.

Staff will either be covered by individual common law contracts and/or the statutory regulations of New Zealand jurisdiction. In the event there is disagreement between this policy and statutory regulations, the statutory regulations will take precedence over this policy.

- 3.1.2 **Equal Employment Opportunity.** AWPL is an equal opportunity employer. All job applicants and staff are to be treated fairly and impartially regardless of race, marital status, religion, age, sexual preference, gender or political affiliation.

3.2 General Conditions of Employment

- 3.2.1 In regards to the general conditions of employment: any conditions not addressed in this section, please refer to your contract of employment or ask Human Resources to provide you with another copy.
- 3.2.2 **Hours of Work.** AWPL’s hours of work vary between stores and Support Centre departments. Each employee’s hours of work are to be determined by their individual Manager. Support Centre employee’s hours of work are to be confirmed in their letter of appointment.
- 3.2.3 **Lunch Breaks and Rest Periods.** An unpaid meal period of not less than 30 minutes shall be allowed to each employee and shall be taken no later than four hours after the employee commenced work for that day.

In addition, the employee will receive:

- One paid 10-minute rest break if their work period is two hours or more, but not more than four hours.
- One 10-minute paid rest break and one 30-minute meal break if their work period is more than four hours, but not more than six hours.
- Two 10-minute paid rest breaks and one 30-minute meal break if their work period is more than six hours, but not more than eight hours.

The method and time of the taking of such rest period(s) shall be by agreement between an employer and employee(s) or failing such agreement as determined by the employer.

3.3 Provisions Covering Leave

Please refer to Policy 6 for the full provisions covering leave entitlements.

3.4 Travel Arrangements

- 3.4.1 When staff are required to travel on assignment, travel expenses will be reimbursed for all travel as set out in Policy 9 - Expense Reimbursement Policy. AWPL will determine the mode of travel.

3.5 Staff Recruitment and Resignation

The Manager – People and Culture will ensure formal processes for staff recruitment and staff separations are documented and are adhered to.

3.5.1 Advertising Positions.

Vacancies for new or existing positions should be advertised both internally and externally, whenever practicable.

In an effort to promote leadership development within our retail team, Team Leader positions will not be advertised externally unless permission has been approved by the Manager – People and Culture. Team Leader positions are suitable for internal promotions creating the link between sales positions and management positions.

3.5.2 Use of Recruitment Agencies

All positions are recruited through AWPL's recruitment process which is overseen by the Manager – People and Culture. In the event AWPL have been unsuccessful in attracting suitable candidates for a position, a recruitment agency may be used.

A recruitment agency will only be used to assist in filling the following roles:

- Retail Sales Manager
- Support Centre Executive Management position
- Support Centre Middle Management position

In the following areas, a recruitment agency may be used to assist with a Store Manager vacancy following approval by the Manager – People and Culture:

- Darwin
- Alice Springs
- Perth
- Auckland

Recruitment Agency assistance can only be initiated by the Manager– People and Culture, following approval by the Managing Director and Finance Manager.

3.5.3 Resignations

- (a) Staff are required to give notice of resignation in accordance with the terms and conditions set out in their employment agreement.

- (b) In relation to fixed term contract staff, payment is to be made in accord with the terms of their contract.
- (c) Where all the appropriate separation paperwork has been submitted, the employee's final separation payment is processed the next working day following the employee's last day. The required paperwork includes:
- Notice of separation
 - Return of all company property
 - Authorisation of timesheet/hours worked

If the above is not provided to the Payroll Officer at the completion of the staff member's last shift, then the separation payment will be processed in the next usual fortnightly pay (on the condition that the above information is received by the Payroll Officer on the Tuesday before the pay is processed).

3.5.4 Employment of Relatives.

The permanent employment of relatives is to be approved by the Manager – People and Culture (for positions within Support Centre) and additionally the Retail Sales Manager (for positions within the retail network).

The employment of relatives within the same area of responsibility under direct reporting responsibility is forbidden without prior consent.

Furthermore when the employment of a relative occurs in the workplace it must be on the basis that all rostered shifts are completely independent and conditions of employment are autonomous (e.g. the acquisition of a staff car park)

All applications must be treated fairly and employment based on merit and job suitability. No relative of current employees is to be given preferential treatment in consideration for employment unless that candidate meets predetermined basic employment criteria.

Relatives shall include the following: Spouse, child, parent, grandparent, sister, brother, aunts, uncles, nieces, nephews & grandchildren

All of the above shall include direct relatives (by blood) or by marriage (in laws).

Family members can only offer verbal support of their relatives and they must not be used as referees. In any disciplinary discussion or performance related issue, AWPL employed family members shall not be used as support providers and shall at all times not interfere in the companies business, to benefit the relatives at a cost to the business.

All employees have a responsibility to alert their manager or Manager – People and Culture if they have the knowledge of a direct relative making an application for employment with AWPL.

Any fulltime or salaried appointments of any direct relatives as defined above need to be approved in writing by the Managing Director before any appointment is confirmed. The Human Resources Manager shall have responsibility to ensure this approval is sought and obtained prior to appointment.

3.5.5 Establishment of New Positions. The establishment of any new position is to be approved by the Managing Director. Appropriate justification for the position is to be submitted to the Managing Director. An “Employee Position Requisition” form is to be completed to establish any new position, providing the relevant following details:

- (a) the proposed title of the position,
- (b) the proposed reporting line,
- (c) the proposed job and educational specifications applicable to the position,
- (d) the proposed personal qualities required of person, and
- (e) proposed salary range.

3.5.6 Visa Requirements. Visa restrictions are set out in the *Immigration Act 2009*. Every non-citizen in New Zealand must have a visa, either as a result of an application, or one granted automatically by law. AWPL will take appropriate measures to ensure employees maintain the necessary work entitlements to work in New Zealand. It is the employee's responsibility to declare on commencement about their work rights and provide passport and visa details as required that will then enable AWPL to complete the appropriate checks. For non-New Zealand citizens it is a legal requirement to sight all passports upon commencement of employment. For New Zealand citizens, where a passport is not available, a birth certificate with photo ID will suffice.

3.6 Misconduct.

Refer to AWPL’s Policy 11 – Disciplinary Action and Code of Conduct

3.7 Salary Administration

3.7.1 All staff are to be paid every second Thursday. Each salary payment is to cover fourteen days, and is to be credited to an account nominated by the staff member.

3.7.2 **Salary Deductions.** AWPL is to make deductions from the employee’s salary for taxation and any additional deductions requested by the employee; for example, car parking, and personal Kiwi Saver contributions.

- 3.7.3 **Salary Review.** The salary of each employee is to be reviewed at least annually. This does not guarantee a change in salary.

An individual's salary is also to be reviewed when there is a change in their position or responsibilities. Salary adjustments can be made in the form of an incremental increase or a bonus.

Refer to AWPL's Policy 12 – Remuneration Policy

- 3.7.5 **Termination of Employment.** When notifying staff of their termination, AWPL is to give the same notice required of employees when they resign.

3.8 Workplace Issues

- 3.8.1 AWPL is committed to providing employees with a safe and healthy working environment.

- 3.8.2 All employees have the right to work without harassment. Employees who believe they are being harassed should discuss the situation with their direct report. Employees are also encouraged to inform offenders if their behaviour is considered to be offensive, unacceptable, illegal or against AWPL policy. Harassment is a serious offence that could lead to termination of employment.

Refer to Policy 2 – Harassment Free Workplace

- 3.8.3 Staff who identify a safety issue are to advise the details to their direct report, OHS rep or Human Resources. (For more information, refer to Policy 1– Health and Safety and the relevant OH&S legislation, copies of which are held by the Manager – People and Culture)

The Manager – People and Culture is to ensure that safety procedures are held in every AWPL office.

- 3.8.4 Where an employee feels unable to raise a concern through standard communication channels for reporting incidents and where the matter is in breach of our Code of Conduct (Policy 11) an employee can disclose the information anonymously if required, which enables formal whistleblower protection.

Refer to Policy 19 – Whistleblower program

- 3.8.5 **Injuries.** Employees are covered by workers compensation as required by the relevant legislation in New Zealand. If an employee has been seriously injured at work, a rehabilitation programme is to be implemented enabling them to return to work as soon as possible.

Refer to Policy 1 – Health & Safety

3.8.6 **Smoking.** AWPL is to be a smoke-free workplace. Smoking is not permitted anywhere within, or immediately outside, AWPL offices or stores, or within any vehicles owned by AWPL.

3.8.7 **Workplace concerns.** All staff are encouraged to see their direct report when they are faced with concerns in the workplace. If they do not receive a resolution from their direct report or they are not able to approach their direct report, then they are to see the person who they report to.

For example, store staff should see their Store Manager. If their Store Manager does not provide a resolution, response or are not approachable then they should see their Retail Sales Manager or Manager – People and Culture.

Refer to Policy 19 – Whistleblower program

3.9 Education, Training and Development

3.9.1 The Manager – People and Culture is responsible for the implementation of an internal training and development programs that enhances performance of AWPL staff.

3.9.2 **On-the-Job Training.** All employees are required to participate in job rotation programmes, on-the-job training and to attend in-house training sessions in accordance with AWPL's overall training needs and individual-specific requirements. Direct reports are responsible for ensuring that on-the-job training is provided on an ongoing basis.

3.9.3 Training needs of staff are to be identified on an employee's performance review and these needs are the basis for an individual's development plan.

3.9.4 **Company sponsored study:** AWPL encourages employees to further their skills through higher education and study options. Company sponsored study and higher education opportunities are available to employees who meet the minimum criteria and are able to maintain a balance between study and work commitments. The criteria are outlined in Policy 14 – Company Sponsored Study Policy

3.10 Staff Performance Reviews and Counselling

3.10.1 Employees and their Managers are encouraged to maintain continuous open communication throughout the year to maximise job satisfaction and personal work performance. In addition, formal performance reviews are conducted annually for permanent staff. Each appraisal is to be signed by the employee and their Manager.

Appraisals, reviews and other relevant employee information are to be held in confidential personnel files. Employees are invited to contact the Manager – People and Culture should they wish to view their file.

3.10.2 Unsatisfactory Performance. In the event that an aspect of an employee's behaviour or work performance is considered to be unsatisfactory, their Manager or direct report is to provide counselling to the employee as follows:

- (a) Counselling between the employee and their direct report should occur and notes relevant to aspects of performance or behaviour and the counselling should be made by the direct report and forwarded to the Manager – People and Culture.
- (b) In the event of the matter remaining unresolved, an official second counselling session must be conducted between the employee and their direct report. A formal written report of this session is to be produced by the direct report.

The report is to be signed by the employee and the Manager or direct report as a record of the interview, with a resolution date and any agreed dates of interim progress reviews also being recorded. A copy is to be given to the employee. The report, along with notes from any interim progress reviews, should be forwarded to Human Resources to be maintained in the employee personnel file.

- (c) If, following these two steps, the standard of performance or behaviour has not improved, a third official counselling session between the employee and their direct report should be scheduled. The Retail Sales Manager and Manager – People and Culture should be consulted prior to this occurring. A formal written report of this session is to be produced by the Manager or direct report and signed by all parties.

The employee should be advised both verbally and in writing that failure to resolve their unsatisfactory behaviour or performance within a reasonable period may result in the termination of their employment. The employee should receive a copy of the written report, with the original being forwarded to the Manager – People and Culture.

- (d) If, after the agreed period has elapsed, the performance or behaviour of the employee has not improved, further counselling can be undertaken or termination of the employment may be instigated.

The course of action should be decided following consultation with the Senior Manager and the Manager – People and Culture. Should termination take place, all notes relevant to the steps leading to termination must be forwarded to the Manager – People and Culture for inclusion on the employee's file.

- (e) At each step of this process, staff are to be advised verbally or in writing that there is an issue which needs to be discussed and invited to attend a meeting with approximately 24 hours' notice. The

employee is to be advised they can bring an appropriate support person to the meeting if they wish.

3.10.3 Dismissal. AWPL'S policy is that dismissal should only be considered as a last option and only after all other avenues for improvement have been explored and exhausted. To ensure that the interests of both the employee and AWPL are safeguarded, the employee disciplinary procedure, along with the Code of Conduct must be clearly explained to each employee and followed.

Please refer to Policy 11 – Code of Conduct & Disciplinary Action, Policy 16 - Dismissal Policy and Policy 17 -Termination Policy.

3.10.4 Disputes or Grievances

- (a) An employee should discuss the problem or grievance with their direct report and staff may elevate the dispute to the next level if they believe that they cannot discuss the problem with their direct report.
- (b) An employee may request that an independent person of their choice be present during any discussions in relation to any dispute or grievance.
- (c) If the problem is not resolved to the employee's satisfaction, the employee can discuss it with the Manager – People and Culture.

3.10.5 Unresolved Disputes.

Any unresolved dispute may be referred to the Department of Labour for mediation. If mediation does not resolve the problem, either party can refer the problem to the Employment Relations Authority for investigation.

3.11 Dress Code and Grooming

The location of our stores and customer profile requires a professional standard of grooming and dress.

- A black, white or single coloured top with a collar (ie pointed collar, round edge collar or grandpa collar)
- Black trousers or a black skirt
- Closed toe shoes should be worn at all times within the stores
- Patterned tops, polo shirts and skirts above the knee are not permitted.
- Cardigans and light jackets can be worn as outer garments, over the appropriate shirt in store to provide greater warmth. To create consistency within all stores, outer garments worn must be black.

Grooming standards must be in line with, and sensitive to, the expectations and values of our varied customer base.

- Jewellery and fashion accessories may be worn but should be kept to a minimum:
- Earrings are acceptable (up to two earrings on each ear lobe).
- Facial jewellery is to be removed
- Hair should be clean, dry, and neat and off the face. 'Unnatural' or outrageous colours are not permitted.
- Tattoos should not be exposed
- Undergarments should not be exposed

The above dress code applies to all employees. All employees are responsible for ensuring they have a full understanding of the dress and grooming standards as outlined in this code. If you are unsure of any items included please seek clarification with your Manager or the Human Resources department. If any items of the dress code policy are breached then AWPL has the right to initiate disciplinary action.

3.12 General conduct on the shop floor

3.12.1 Food and drinks in the workplace

The consumption of food or drinks is not permitted on the sales floor. All employees are required to remove packaging or unwanted food from the store including the storeroom after consumption of any food or drinks.

Alcohol must not be consumed in AWPL stores at any time. Furthermore, employees must not consume alcohol during working hours.

3.12.2 Water

Bottled water may be consumed discretely in the shop area but must not be stored close to electrical components or computer equipment.

3.12.3 Personal phone calls and text messages

Personal phone calls from the shop phone must be kept to a minimum and by the permission of the store management. The use of mobile phones on the shop floor is also not permitted, this includes sending text messages.

3.12.4 Company Property

Without exception, the company's property should not be removed or transferred from the premises unless specifically directed by a Manager or Supervisor.

This includes borrowing store items, such as clothing apparel which has not been purchased or consuming products prior to purchasing them.

This applies to items of merchandise as well as items with no commercial value, which include promotional merchandise, packaging and stationery. All employees are required to show a duty of care to protect and secure the companies property. (Refer to Policy 11 – Code of Conduct & Disciplinary Action)

3.12.5 Reading

The practice of reading magazines, newspapers or literature on the sales floor, unless it is of a business nature, is not permitted at any time.

3.12.6 Storeroom use

For security purposes, the storeroom door should not be left open at anytime. The storeroom should be used to store merchandise, store company information, complete administrative tasks and provide a rest area for staff to sit during their break times. Staff should not be using the storeroom while working on shift for any other reason, other than the above.

3.13 Standards of Behaviour

3.13.1 AWPL expects all staff to be honest, ethical and co-operative in their dealings on behalf of AWPL with our staff, customers and other relationships.

3.13.2 AWPL has a legal and moral obligation to keep the information of staff and customers and also requires confidentiality of AWPL's information.

3.13.3 AWPL requires all staff to protect the information maintained by it from unauthorised access, intentional or accidental modification or erasure, or disclosure to unauthorised persons.

3.13.4 Please refer to AWPL's Policy 11 - Code of Conduct and Disciplinary Action

3.14 Flexible Working Arrangements

If you find yourself in a situation and you require flexibility within your employment conditions, please see your direct report to discuss further.

AWPL will use their best endeavors to accommodate your requests as long as it aligns with our business needs.

3.15 Time Target

AWPL uses Time Target to verify employee attendance, timekeeping, payroll and rostering. It is each employee's responsibility to scan in and out at the commencement and completion of each shift and break.

Where an employee fails to scan in and out of Time Target on a regular or systematic basis, this will result in performance warnings.

Failure to scan in and out of Time Target can cause a delay in the processing of the fortnightly payroll.

3.16 Airport Identity Card (AIC)

All AWPL Retail Solutions (AWPL) employees whose primary work location is an Airport, or for whom a significant proportion of their work sees the employee based at an Airport location may be required by the Airport Authority or Airport Management Company to obtain and maintain an Airport Identity Card (AIC) or an acknowledged local version of this.

It is a requirement of the Civil Aviation Act 1990 that employees working within a security area or a security enhanced area of an airport may be required to possess and display a valid AIC at all times if the Airport Authority or Airport Management Company stipulates it. Employment with AWPL is contingent upon this.

AWPL reserves the right to terminate an employee's employment with AWPL if an employee is working within an airport location where the airport authority stipulates it requires all employees to possess and display a valid AIC, and the employee is found to:

- be working without a valid AIC;
- be unable to be issued an AIC or unsuccessful in the application for an AIC; or
- have not met the legal obligations of being an AIC holder in any way or form (such as, but not being limited to, being in violation of the terms and conditions of the application form for an AIC or the Civil Aviation Act 1990).

AWPL reserves the right to terminate any AWPL employee who is responsible for the management or supervision of other staff and who is found to have provided advice or guidance to an employee which contravenes the requirements of the Civil Aviation Act 1990. Examples of this contravention may be, but are not limited to:

- knowing an employee is working without a valid AIC and not bringing it to management's attention;
- advising an employee a valid AIC is not needed when it is;
- knowing an employee is unable to be issued an AIC or will be unsuccessful in the application for an AIC and not bringing it to management's attention; or
- knowing an employee has not met the legal obligations of being an AIC holder in some way or form (such as, but not being limited to, being in violation of the terms and conditions of the application form for an AIC) and not bringing it to management's attention.

Any employee whose employment agreement is terminated within three months of commencing with AWPL will have 100% of the cost of the ASIC ID deducted from their final separation payment. Any employee whose employment agreement is terminated

within six months of commencing with AWPL will have 75% of the cost of the ASIC ID deducted from their final separation payment.

Outside the usual renewal process associated with an expiring ASIC, any other circumstance which may result in additional costs associated to the ASIC will be charged to the employee. Furthermore in the event of an ASIC being lost or stolen, the replacement of the ASIC will be at the employees own cost.

3.17 Related Policies and Documents

Other Policies, legislation and documents that have an impact on Policy 3 - Staff Conditions of Employment include:

- (a) Policy 1 – Health and Safety
- (b) Policy 2 – Harassment free Workplace
- (c) Policy 6 – Leave Provisions
- (d) Policy 9 - Expense Reimbursement Policy
- (e) Policy 11 – Code of Conduct & Disciplinary Action
- (f) Policy 12 – Remuneration Policy
- (g) Policy 14 – Company Sponsored Study Policy
- (h) Policy 16 – Dismissal Policy
- (i) Policy 17 – Termination Policy
- (j) Policy 19 – Whistleblower Program
- (k) AWPL Operations Procedures Manual
- (l) Employment Relations Act 2000*
- (m) Health and Safety in Employment Act 1992*
- (n) Health and Safety in Employment Regulations 1995
- (o) Holidays Act 2003*
- (p) Immigration Act 2009